761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service

DATE: April 22, 2013
FILE NO:

OFFICE CORRESPONDENCE

FROM: BUDDY GOLDMAN, COMMANDER
NORTH PATROL DIVISION

TO: ALICIA E. AULT, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	SH2304896
Incident:	Hit Shooting
Incident Date:	December 27, 2011
Unit:	Lomita Station
Suspect:	Robert Larue, MW/01-30-63
Involved Employees:	Deputy Joseph Vasquez, #[redacted] Deputy Daryl Williams, #[redacted] Deputy [redacted], #[redacted] Sergeant [redacted], #[redacted]
EFRC Date:	April 17, 2013

The Executive Force Review Committee (EFRC) consisting of Commanders Buddy Goldman, Bobby Denham, and Stephen Johnson met and reviewed the above case.

FORCE POLICY RELATING TO INCIDENT:

Law Enforcement officers may use deadly force in self-defense or in the defense of others, only when they reasonably believe death or serious physical injury is about to be inflicted upon themselves or others.

FINDINGS:

Deputies responded to a battery call which was upgraded to a possible suicide by cop situation as the man called Lomita station claiming he was armed with a Glock pistol and an AK-47.

One deputy drove to a point of containment north of the location, while other patrol deputies responded to a command post. The suspect walked down the driveway toward the Deputy, who was taking cover by his patrol car.

The deputy requested assistance via his radio stating the suspect was approaching him in the street ignoring commands to lay on the ground and/or show his hands. The suspect suddenly raised his arms, simulating holding a firearm, and pointed a shiny object at the deputy. The deputy did not fire due to his not being sure the suspect was armed with a handgun, his backdrop did not appear clear, and the appearance of a neighboring family who had stepped outside.

When responding deputies arrived at the location, the suspect was observed walking in and out of his open garage. Numerous verbal commands were given by deputies on scene, directing the suspect to lay on the ground and keep his hands in plain sight. The suspect was uncooperative and non-compliant.

The suspect continued trying to bait the deputies into shooting him by ignoring their commands and telling them he would shoot them. One deputy, believing the suspect was armed and fearing for his life, fired several rounds from his handgun missing the suspect. Shortly after this event, the suspect took a shooting position over the top of a vehicle, (green Honda) that was parked along the curb near his home. As the suspect raised his arms in a shooting position and pointed toward the deputy who had earlier fired him, again felt as if he was being threatened with deadly force by the suspect and began firing.

At the same time, the deputy who was north of the location observed the suspect lean on the roof of the parked vehicle and believed the suspect was engaging the other group of deputies with gunfire. This deputy fearing for their safety fired one round from an AR-15 patrol rifle striking the suspect in the left chest area.

The suspect sustained one rifle wound to the upper torso. He was pronounced dead at the scene by Fire Department Personnel.

It was later discovered the suspect's weapon was a black handled kitchen knife which was recovered at the scene.

Based on the belief the suspect was armed with multiple weapons and his behavior of simulating a weapon and taking a shooting stance, the EFRC determined the force used against the armed and dangerous suspect was reasonable, necessary, and justified. The EFRC also determined the tactics used were within Department policy.

RECOMMENDATIONS:

The EFRC recommended Deputy Joseph Vasquez #[redacted] attend the eight-hour LIFE class, the eight-hour Professional Development Ethical Decision Making class, the eight-hour Tactics and Survival training (TAS I), and the eight-hour Basic Tactical Communication class.

The EFRC recommended Deputy Daryl Williams #[redacted], attend the eight-hour Tactics and Survival training (TAS I), and the eight-hour Tactics and Survival training (TAS II).

The EFRC recommended Deputy [redacted] #[redacted], attend the eight-hour Tactics and Survival training (TAS I), and the eight-hour Basic Tactical Communication class.

The EFRC recommended Sergeant [redacted] #[redacted] attend the eight-hour Tactical Leadership class.

Lastly, the EFRC recommended the unit commander, Captain Darrell B. Bolin, and with the assistance of Training Bureau personnel, conduct a tactical debriefing with all involved employees regarding this incident.

BG:JER:jer

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SH 2304896

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
3-8-12	FOR-2 / Lomita Station	☐	☒

Incident Information

URN: 011-04495-1735-013	Date: 12-27-11	Time: 1843

City or Station: Lomita

Location: [redacted] Golden Meadow Drive, Rancho Palos Verdes, CA 90275

Nature of Incident: Deputies responded to a 911 call. Call stated suspect was armed with automatic weapons. Suspect was uncooperative. Suspect took cover behind a car and pointed what appeared to be a handgun at deputies. Deputies fearing for their lives fired and struck suspect in upper chest area.

Location Type (*circle one or more*):	Lighting (*circle only one*):	Incident Type (*circle one or more*):	Initiated by (*circle only one*):
Backyard Beach Business Freeway Industrial Park Parking Lot **(Residence)** Rural School **(Street)** Other: ______	Darkness Daylight Other **(Street Lights)**	Accidental **(Armed Person)** Fleeing Suspect Foot Pursuit Gun Take Away Moving Vehicle Sniper/Ambush Startle Struggle Involved Traffic Stop Unarmed Person Unintentional Vehicle Pursuit Warrant Service Warning Shot Other: ______	Arrest Warrant **(Call)** Observation One Person Unit Other Search Warrant Two Person Unit
	Weather (*circle only one*): **(Clear)** Cloudy Fog Rain		Prior Activity (*circle only one*): Detective Inmate Transport **(Other)** Routine Patrol
	Distance: 50 yards		Aero Unit? ☒ Canine Unit? ☐
Total # of Shots Fired by Deputy: One	Total # of Shots Fired by Suspect: None		

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*):	ShiftType (*circle only one*):
[redacted]	Walker	Brandon		EM **(PM)** Day	**(Regular)** Overtime Off Duty
[redacted]	Jimenez	Pablo		EM **(PM)** Day	**(Regular)** Overtime Off Duty
[redacted]	Kuwata	Kevin		EM **(PM)** Day	**(Regular)** Overtime Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*):
[redacted]	Cale	Jeffrey		**(On Duty)** **(Present during shooting)** Witness to shooting Involved in shooting
				On Duty Present during shooting Witness to shooting Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
	None		

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Baillif	Stanley	L

PSTD Use Only
SH # 2304896

SH-R-438A rev. 3/07

See Reverse

Officer Involved Shooting

URN: 011-04495-1735-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
12-27-11	2200		

Employee #	Last Name	First Name	M.I
[redacted]	Vaughan	Stephen	D
[redacted]	Velasquez	Hector	
[redacted]	Hamil	Jeffrey	F

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	OE					NN	
E#1	S#1	FH	SW	9	Y	Y	NN	
S#1	E#2	OE					NN	
E#2	S#1	FR	CO	23	Y	Y	DH	CH

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 011-04495-1735-013

Involved Employee

E 1

Employee # [redacted]	Last Name Vasquez	First Name Joseph	M.I.
Sex: M Race: H	Rank Detective	Unit Assignment: Lomita Station	Work Assignment (Unit #, Module, etc.): 817
ShiftTime (*circle only one*): EM **PM** Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☒	Coroner Case # — Interviewed? ☒
Hrs of sleep prior to shooting: 7	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted] Height: 509 Weight: 200			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: 1 Directed Force: [redacted]
Weapons Fired Brand: Smith Wesson M P	Caliber 9	# Shots 14	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 2

Employee # [redacted]	Last Name Williams	First Name Daryl	M.I.
Sex: M Race:	Rank Deputy	Unit Assignment: Lomita Station	Work Assignment (Unit #, Module, etc.): 170E
ShiftTime (*circle only one*): EM **PM** Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☒	Coroner Case # 2011-08485 — Interviewed? ☒
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 510 Weight: 225			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Colt AR 15	Caliber .223	# Shots 1	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting Suspect Information

URN: 011-04495-1735-013

Suspect Information

S 1

Last Name: Larue	First Name: Robert	M.I.: E
AKA Last Name:	First Name:	M.I.:

Sex: M Race: W	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: None	Home Phone:	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 48 D.O.B. 1-30-63	Height: 508 Weight: 128	FBI #: [redacted]	CII #: [redacted]
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☒	Coroner Case #: 2011-08485	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☒	Criminal History? [redacted]
Vehicle Make:		Model:	Year:

S__

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Williams	Jennifer	G	26123 South Narbonne Avenue, Lomita, Ca	90717	(310) 539-3213	
Cale	Jefferey		26123 South Narbonne Avenue, Lomita, Ca	90717	(310) 539-1661	
Dondis	James		26123 South Narbonne Avenue, Lomita, Ca	90717	(310) 539-3213	

INVESTIGATIVE SUMMARY



COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

DEPUTY INVOLVED HIT SHOOTING
INVESTIGATIVE SUMMARY

UNIT:	Lomita Sheriff's Station
DATE:	December 27, 2011, 1917 Hours, Tuesday
LOCATION:	[redacted] Golden Meadow Drive, Rancho Palos Verdes CA 90275
URN#:	011-04495-1735-013
IAB#:	SH2304896

SYNOPSIS:

On December 27, 2011, Lomita Sheriff's deputies were dispatched to the above location regarding an assault incident (Tag#116). An elderly man,Victim [redacted] who resides at the residence [redacted] was severely beaten by his [redacted] Robert Evan Larue, [redacted] at the home. The assault occurred inside of the residence but the [redacted] (victim [redacted] ran to a neighbor's home to get help and the Sheriff's Department was called.

SUMMARY:

While the deputies were enroute to the command post, they were advised the suspect had called Lomita Sheriff's Station himself and indicated he was armed with an AK-47 rifle and a "Glock" handgun. The suspect told the Lomita Sheriff's dispatcher that he wanted to die and he wanted the deputies to kill him, indicating a "Suicide by cop" situation, **Exhibit A**.

Deputy Daryl Williams drove north of the location to take a containment position, while other patrol deputies responded to the command post. The suspect walked down the driveway toward D. Williams, who was taking cover by his patrol vehicle, north of the location.

Deputy Daryl Williams requested assistance on the regular frequency stating the suspect was in the middle of the street. The suspect walked toward D. Williams ignoring commands to lay on the floor and show his hands. The suspect suddenly raised his arms, simulating holding a firearm, and pointed a shiny object at D. Williams. D. Williams did not fire due to his backdrop and the appearance of a neighboring family that wanted to know what was happening.

Deputy D. Williams changed his cover position, instructed the family to go inside their residence, and observed the suspect walking back toward his residence.

When responding deputies arrived at the location, the suspect was seen standing on the driveway of the home and was going in and out of the open garage. Numerous commands were given by deputies on scene, directing the suspect to lay on the ground and keep his hands in plain sight.

The suspect was uncooperative and non-compliant. The suspect continued trying to bait the deputies into shooting him by ignoring their commands and telling them he would shoot them. The suspect took a position behind a vehicle (green Honda) that was parked in the street directly in front of his house. He raised his arms in a shooting position and pointed toward the deputies who had arrived and were east of his position. Detective Vazquez believing the suspect was armed and fearing for his life fired several rounds from his Smith & Wesson 9mm handgun.

The suspect began mocking and laughing at the deputies because they had missed him. The suspect hid behind the car, leaned on the roof of the parked vehicle, and again emerged in a shooting stance. Detective Vazquez fired another two rounds from his weapon.

Deputy D. Williams observed the suspect lean on the roof of the parked vehicle and believed the suspect was engaging the other group of deputies with gunfire. Deputy Williams fearing for their safety fired one round from his AR-15 striking the suspect in the left chest area.

The suspect sustained one rifle wound to the upper torso. He was pronounced dead at the scene by Fire Department Personnel.

The suspect's weapon was a black handled kitchen knife which was recovered at the scene.

The Deputy Involved Hit Shooting incident was investigated and documented by Homicide detectives. For more information, see the Homicide Investigation Book, **Exhibit B**.

The following review is based on written documentation, interviews of witnesses, involved deputies, and medical staff.

INVOLVED PERSONNEL:

Vazquez, Joseph, Deputy Sheriff, #[redacted]
Lomita Sheriff's Station,
Field Operations Region II

EMPLOYEE WORK HISTORY:

Date of Employment:	11/94
Date assigned to Patrol:	[redacted]
Completed Patrol Training:	
Prior Shooting Incidents:	

Williams, Daryl, Deputy Sheriff, #[redacted]
Lomita Sheriff's Station,
Field Operations Region II

EMPLOYEE WORK HISTORY:

Date of Employment:	03/90
Date assigned to Patrol:	[redacted]
Completed Patrol Training:	
Prior Shooting Incidents:	One

SUSPECT:

LARUE, Robert E., MW/48 (Deceased)
[redacted]

The suspect's criminal history consists of a 245 (A) (1) P.C. (ADW) and a 368 (B)(1)P.C. (Health/Death Elder).

Refer to Exhibit B, Homicide Book, pages 66- 68 for Suspect Larues' Criminal History.

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

DEPUTY INVOLVED HIT SHOOTING
INVESTIGATIVE SUMMARY

INVOLVED DEPUTY WITNESS:

WALKER, Brandon #[redacted]
Lomita Sheriff's Station,
Field Operations Region II

JIMENEZ, Pablo #[redacted]
Lomita Sheriff's Station,
Field Operations Region II

KUWATA, Kevin #[redacted]
Lomita Sheriff's Station,
Field Operations Region II

WILLIAMS, Jennifer #[redacted]
Lomita Sheriff's Station,
Field Operations Region II

DONDIS, James #[redacted]
Lomita Sheriff's Station,
Field Operations Region II

CALE, Jeffrey (Sergeant) #[redacted]
Lomita Sheriff's Station,
Field Operations Region II

NON-DEPARTMENT WITNESSES:

[redacted] (Suspect's [redacted])
MW/ DOB: [redacted]
[redacted]

INJURIES:

[redacted] (Suspect's [redacted])
Bruised and Swollen Left Eye
Abrasion on right cheek
Abrasions on knuckles of both hands

DEPUTY INVOLVED HIT SHOOTING
INVESTIGATIVE SUMMARY

Suspect:

Suspect Larue sustained one gunshot wound to his right anterior chest. He was pronounced deceased at the scene, by Los Angeles County Fire Department Paramedic Ortega, at 1935 hours. He was then transported to Torrance Memorial Hospital. **Refer to Exhibit B, Homicide Book, pages 241- 265 for Coroner's report.**

Deputy Personnel:

No deputy personnel were injured.

WEATHER AND LIGHTING CONDITIONS:

This incident occurred during a clear cool evening. Streetlights on the west and east curb line of Golden Meadow Drive were on and working. The interior light of the open garage was on at [redacted] Golden Meadow Drive (Suspect Larue's residence).

WEAPON USED BY SUSPECT:

One "Gourmet Traditions" steak knife with black plastic handle was recovered at the scene near the deceased. The weapon was processed for latent prints, and no latent prints were discovered. **(Lab Receipt K276287) Refer to Exhibit B, Homicide Book, page 118 for chemical processing report.**

WEAPONS USED BY DEPUTY PERSONNEL:

Detective Joseph Vazquez
Service Weapon- Smith/Wesson MP, .9 mm caliber, (Serial #DVD[redacted]),
Semi-Automatic Pistol.
Type of Ammunition- .9 mm Luger.
Ammunition- 14 rounds fired.
Shell Casings- 13 (.9 mm shell casings) were located at the scene.

Deputy Daryl Williams
Service Weapon- Colt AR-15, .223 caliber, (Serial #SP[redacted])
Type of Ammunition- .223 Remington
Ammunition- One round fired
Shell Casings- One located at scene

Both weapons were examined, test fired, and found to be functional by Firearms Examiner April A. Wong #[redacted] from the Los Angeles County Sheriff's Department-Scientific Services Bureau, Firearms Identification Section. **Lab Receipt Numbers: K319383, K319384, K319385. Refer to Exhibit B, Homicide Book, Pages #113-118.**

INVOLVED DEPUTY'S STATEMENT:

Detective Joseph Vazquez, Employee #[redacted] was interviewed by Homicide Investigators on December 28, 2011, at approximately 0240 hours. A summary of their interview may be found on pages 7-10 of the Homicide Investigation Book, **Exhibit B.** Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of their interview is an accurate account of what was said.

Internal Affairs Bureau conducted a Shooting Review interview on June 12, 2012, at approximately 1038 hours. The following is a summary of the incident as described by Detective Vazquez. Additional information and precise wording may be obtained by reviewing Detective Vazquez recorded interview (Job #35060/061) and attached interview transcription.

Detective Vazquez had finished his patrol assignment on day shift and drove to Lomita Station. He removed his gear and went upstairs to complete paperwork work from his detective assignment. He heard over the public address system a battery call ([redacted]) on Golden Meadow. Vazquez walked downstairs and put on his gear which consisted of his vest, Sam Brown, gun, radio, and flashlight.

As he was driving to the command post, Detective Vazquez heard the call updated to a suicide by cop. He heard this on his hand held radio. He drove to the command post to see where he may be needed. The frequency on the radio located in the car was on L-Tac. Within ten seconds of getting to the command post, he heard Deputy D. Williams, on regular dispatch, requesting assistance. He did not hear any further updates prior to getting to his location on the hill.

Detective Vazquez said he has known Deputy D. Williams for six years and he has always been very cool and calm. The inflection in D. Williams' voice told Vazquez that something was seriously wrong. D. Williams had put out over emergency traffic that he was on the north side of the residence.

Detective Vazquez drove to the location to take a position to the east of the address given. He drove over a small hill in the road and realized he was directly in front of the suspect's residence. He positioned his unmarked Dodge Charger at a forty five degree angle in order to use the engine block as cover.

Detective Vazquez immediately saw suspect Larue in the middle of the street. Vazquez drew his weapon and located Larue in his sights. Vazquez verbally engaged Larue. Vazquez described Larue as "intense", walking and pacing like he did not care. Larue yelled at Vazquez "Get those fucking lights off me." "Larue's tone was very loud, very abrasive, belligerent and with intent."

Suspect Larue told Detective Vazquez he had a "Glock" in his pocket. Larue walked away from Vazquez toward his residence. Larue took a position inside his garage, along the south wall. Larue was now 70 feet from Vazquez.

Detective Vazquez ordered suspect Larue to get on the ground several times. Larue ignored his commands. Larue pulled his right hand from his right front pant pocket and extended it. Vazquez saw a handgun in the right hand and simultaneously heard three sounds similar to metal hitting concrete. He believed Larue had just pulled out his gun from his pocket and dropped bullets on the ground.

Fearing suspect Larue was going to shoot at him, Detective Vazquez shot at Larue. Vazquez thought other deputies who had arrived were shooting at Larue because he heard casings landing on his car and inside his car. He could not remember how many times he shot.

Detective Vazquez stopped firing at suspect Larue as Larue started walking away from the garage toward a green car that was parked directly in front of his house. The car was parked along the west curb line facing south. Larue started laughing which made Vazquez think Larue was hit and could not feel anything.

Suspect Larue opened the front passenger door of the green vehicle and leaned toward the passenger floorboard area. Detective Vazquez believed Larue was going for a secondary weapon. Vazquez said at this point he remembered a video he had seen where an officer was making a traffic stop. The suspect walked away from the officer toward the passenger door of his vehicle. The officer is telling the suspect to stop. The suspect reached into the passenger side door and brought out an AK-47. The suspect shot the officer and killed him.

Detective Vazquez was thinking suspect Larue was loading up and was "gonna take us out." Vazquez saw Larue come out of the vehicle and re-engage him over the roof of the car. Vazquez, fearing for his life, fired two rounds at Larue. Larue yelled "I'm down" and disappeared from view.

The deputies were subsequently assisted by aero bureau and approached suspect Larue. Larue was non-responsive, secured, and the deputies called for paramedics.

Deputy Daryl Williams, Employee #[redacted] was interviewed by Homicide Investigators on December 28, 2011, at approximately 0150 hours. A summary of their interview may be found on pages 4-7 of the Homicide Investigation Book, **Exhibit B.** Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of their interview is an accurate account of what was said.

Internal Affairs Bureau investigators conducted a Shooting Review interview on July 12, 2012, at approximately 1127 hours. The following is a summary of the incident as described by Deputy D. Williams. Additional information and precise wording may be obtained by reviewing Deputy D. Williams' recorded interview (Job #35062) and attached interview transcription.

Deputy D. Williams is the [redacted] at Lomita Station. He was working the second part of his double shift. He heard over the public address system a call regarding elder abuse or adult son beats father. The watch deputy updated the call over the PA as person possibly armed with an AK-47 and there was mention of suicide by cop.

Deputy D. Williams went to the armory and grabbed the AR-15. He entered his car and changed his status to "dispatchable" so he could get updates on the call. He contacted Deputy Kuwata on L-Tac and told him he would deploy on the north side of the residence. Deputy Kuwata, who had also deployed an AR-15, said he would deploy on the south side.

Deputy D. Williams also remembered typing the sergeant, who was driving directly in front of him, advising he was responding and would deploy an AR-15. D. Williams passed two patrol vehicles on Crenshaw Boulevard and assumed that was where the command post was setting up. He did not receive any further direction and responded to the area he had told deputy Kuwata he would respond to. D. Williams said he knows the area very well and did not follow other vehicles that were driving to the area.

When he arrived on the north side of the address provided he noticed there were no other patrol cars visible. He positioned his vehicle approximately 200 feet from what he believed to be the residence. He did not want to park mid-block because he wanted to give himself a chance to egress if the suspect engaged him. He also wanted to stop other vehicles from entering the danger area.

Deputy D. Williams turned off his vehicle lights as he waited for containment to be set up. He remembered suspect Larue coming out from the shadows approximately halfway between himself and Larue's residence. Larue walked in the middle of the street toward D. Williams as he yelled "I'm the guy you're looking for."

Deputy D. Williams was standing in the street, using his car door as cover. He told suspect Larue to stop, place his hands above his head, and drop to his knees. Larue responded by continuing to walk toward Williams yelling "Fuck you", "turn off those fucking lights, get the fucking lights off me." Larue then turned away from Williams and walked back toward his house. He turned around again and started walking toward Williams. Williams requested assistance as Larue paced in the street.

Based on the information Deputy D. Williams had received, he believed suspect Larue was trying to agitate him to get him to shoot him. Williams had drawn his duty weapon and was pointing it at Larue as they continued their exchange. He was pointing at center mass as he kept looking at Larue's hands. He did not shoot at this point because he did not have a lethal force encounter at that point.

Deputy D. Williams said he remembered using every light he had on the car to illuminate suspect Larue, the scene, and to conceal his position. During Larue's pacing Williams thought Larue would retrieve the AK-47 mentioned in the call. Williams ran to the trunk of his vehicle and loaded his AR-15. During this time a pizza delivery person drove past Larue's residence toward D. Williams. D. Williams ordered the driver to park his vehicle and leave the area. During the exchange with the pizza delivery person, a family walked out of their residence to inquire about the commotion on their block.

Deputy D. Williams ordered them into their house. As D. Williams turned to face suspect Larue he noticed Larue was within twenty feet of him. As Larue approached, Williams saw a metallic object in his right hand. Larue made a motion as if he was pointing a gun at Williams. Believing Larue was going to shoot him, Williams ran to the rear of his vehicle. He was unsure if Larue had shot at him at this point. When Williams looked from the rear of his trunk, Larue was again walking away from him. He did not shoot at this time because he had a lingering doubt that it was a lethal encounter.

Suspect Larue disappeared from sight and Deputy D. Williams did not see him again until he was engaged with units that had arrived northeast of him. Larue had taken his jacket off. D. Williams was looking for better cover when he heard gunshots coming from where he last saw Larue.

Deputy D. Williams believed suspect Larue was in a gunfight with the deputies. Williams advised SCC that deputies were involved in a shooting. He asked if everyone was okay and was told no deputies had been hit. He heard two volleys of gunfire but could not see Larue.

Deputy D. Williams saw Larue appear next to a car that was on the west curb line. Larue was using the car as cover as he came up in what Williams described as a two handed shooting stance. He saw a shiny object in Larue's hands and believed he was holding a gun because he had just heard the exchange of gunfire. Williams used his rifle sight and fired one round at Larue. Larue immediately went down to the ground. Williams did not fire anymore because he could no longer see Larue.

INVOLVED DEPUTY WITNESS STATEMENT:

Deputy Brandon Walker, Employee #[redacted] was interviewed by Homicide Investigators on December 28, 2011, at approximately 0150 hours. A summary of their interview may be found on pages 4-7 of the Homicide Investigation Book, **Exhibit B.** Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of their interview is an accurate account of what was said.

Deputy Walker responded to a battery call. The call was updated due to the disturbing party arming himself with an AK-47. He responded to the command post. At the command post he heard emergent traffic that the suspect was in the street. Walker along with other deputies responded to the Larue residence.

Deputy Walker followed Detective Vazquez, Deputy Kuwata, and Deputy Jimenez to the location. When Walker arrived on Abottswood Street he stopped behind the other deputies. He exited his car and made his way through some bushes south of the other deputies. He then made his way to a house on the south east corner of Golden Meadow Drive and Abbottswood.

Deputy Walker was now on the east side of the sidewalk across from suspect Larue's residence. He could see Larue clearly and saw his hands in his pockets. He heard the deputies giving Larue commands to stop and they wanted to help him. Larue responded saying he did not care and he was not going back to jail. The deputies asked him to take his hands out of his pockets. Larue did not comply.

Deputy Walker heard a volley of gunshots and could see suspect Larue was still standing. Larue was talking and making fun of the deputies for their bad aim. From Walker's position he was unable to see who had shot at Larue.

During the first volley of gunshots, suspect Larue was in his driveway. He walked to the street toward the deputies who were on Abbottswood. Larue taunted the deputies and returned toward his residence. Walker knew Larue was not shooting because he did not see a weapon in Larue's hands.

Deputy Walker heard a second volley of gunfire. He turned away from suspect Larue to look at his partners. When he turned back to look at Larue, he was already down on the ground behind the car. Walker did not see when Larue was shot.

Deputy Walker left is containment spot and drove to Deputy D. William's position after D. Williams advised on the radio that he was the only unit north of the location. From his new position, he observed an air unit illuminating suspect Larue and directing deputies on the ground.

Deputy Pablo Jimenez, Employee #[redacted] was interviewed by Homicide Investigators on December 28, 2011, at approximately 0150 hours. A summary of their interview may be found on pages 4-7 of the Homicide Investigation Book, **Exhibit B.** Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of their interview is an accurate account of what was said.

Deputy Jimenez said he was assigned as the assisting unit to a battery call. He was enroute to the call when the call was upgraded to a possible suicide call with an AK-47 and a handgun. He drove to the command post and while at the command post he heard emergent traffic stating a deputy was requesting assistance. He told SCC he could respond code 3 in seconds.

Deputy Jimenez drove to Abbottswood and observed an unmarked Sheriff's vehicle parked on the east curb. He parked his patrol vehicle on the west curb, armed himself with his shotgun, and took a position of cover behind a tree west of his vehicle.

Deputy Jimenez heard suspect Larue exchanging words with the deputies who were on Abbottswood. Larue had his right hand in his pant pocket as he moved around on the street. Jimenez realized that he needed to change shells from buckshot to slugs due to the distance between him and Larue. Larue was telling the deputies he was not going back to jail. Larue then took his hand out of his right pocket in a forward motion. Jimenez thought Larue was going to shoot. He heard gunshots but did not see Larue shoot and he did not know who was shooting.

Deputy Jimenez saw suspect Larue move to the rear passenger area of a parked vehicle located on the west curb. Larue disappeared into the passenger side of the car. Jimenez remembered thinking about a video he had seen in training where an officer was killed after the suspect exited the passenger area of a vehicle armed with an AK-47. Jimenez prepared himself for a gun battle waiting for Larue to show himself.

Suspect Larue poked his head up from behind the car. Deputy Jimenez heard a second volley of gunshots and saw Larue disappear again behind the car. Jimenez put out emergent traffic regarding officers involved in a shooting.

An air unit responded to illuminate the area where suspect Larue was last seen. The air unit located suspect Larue lying on the sidewalk. They illuminated suspect Larue as deputies made their approach. Jimenez searched Larue and handcuffed him prior to having paramedics respond into the scene.

Deputy Kevin Kuwata, Employee #[redacted] was interviewed by Homicide Investigators on December 28, 2011, at approximately 0150 hours. A summary of their interview may be found on pages 4-7 of the Homicide Investigation Book, **Exhibit B.** Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of their interview is an accurate account of what was said.

Deputy Kuwata was assigned the assist to the original call after the call had been updated that the suspect was possibly armed with an AK-47, and was suicidal.

Deputy Kuwata advised dispatch he would be deploying an AR-15 and communicated this to D. Williams, who had also advised dispatch he was deploying an AR-15. Williams told Kuwata he was going to the north side of the residence and Kuwata said he would take a position south of the location. While driving to his position, Kuwata noticed the deputies were setting up a command post on Hawthorne Boulevard. He stopped to get an update and see if things had changed from the time he had talked to Williams.

While at the command post the deputies were discussing how to confirm if an assault had actually taken place. Five minutes into the conversation, Deputy Kuwata heard Deputy D. Williams on the radio, saying he was engaging the suspect who was yelling and screaming at him.

Deputy Kuwata entered his vehicle with Detective Dondis. He arrived on Abbottswood and saw an unmarked Los Angeles County Dodge Charger parked on Abbottswood. Detective Vazquez was standing on the street taking cover behind the open driver's door of the Charger. Vazquez was telling suspect Larue to lay on the ground.

Suspect Larue responded by telling Vazquez he was going to have to "kill him and fuck you." According to Kuwata, Larue did not seem to be in a rational state of mind. Larue kept putting his hand in his right pocket. He would remove his hand from the pocket waving his arms and jumping around yelling at the deputies to shoot and kill him. Kuwata took a position along the passenger side of the Charger while Dondis took a position alongside Vazquez.

Detective Vazquez continued to tell suspect Larue they were there to help him. Larue continued yelling and kept pulling his hands in and out of his pockets. Deputy Kuwata could see papers falling to the ground as Larue pulled his hands out of his pant pockets. He also saw Larue holding a knife in his right hand. He did not see or hear the knife hit the ground as he saw the papers falling. Kuwata was approximately 25-35 feet from Larue when he made these observations.

Deputy Kuwata explained that suspect Larue was behind a parked car located on the west curb when he was screaming and yelling. Larue was between his residence and the parked car. Kuwata heard a volley of approximately six gunshots. He saw Larue duck down behind the parked vehicle. Kuwata heard over the radio that Larue was reaching into the vehicle. Believing Larue was possibly going to arm himself with a rifle, Kuwata moved his sights to the rear of the vehicle.

Within thirty seconds of the first volley, Deputy Kuwata heard a second volley of gunshots. He was looking down toward the ground of the vehicle where he had last seen Larue. He saw Larue fall to the ground with his head toward the house. He did not know who had shot the first or second volley of gunshots. Kuwata heard someone put out emergency traffic but did not know who it was. An air unit was called and the deputies approached and secured Larue.

Detective Jennifer Williams, Employee #[redacted] was interviewed by Homicide Investigators on December 28, 2011, at approximately 0150 hours. A summary of their interview may be found on pages 4-7 of the Homicide Investigation Book, **Exhibit B.** Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of their interview is an accurate account of what was said.

Detective J. Williams was in the station when she heard a battery call voiced on the PA. The call was upgraded to a suicide by cop. She and Detective Dondis ran to their vehicle and drove toward the call. She remembered asking Dondis why no one was voicing anything over the radio. She had one radio on the working frequency and the other on L-Tac. They heard the handling unit, Deputy Frazier, advise that she was on Eddinghill and Lomo awaiting units to respond to the location.

Detectives J. Williams, Dondis, and Vazquez arrived at the command post along with Deputies Kuwata, Jimenez, and Sergeant Cale. The plan was to send Vazquez to D. Williams' position on the north side because he was alone. The remaining deputies would go to the victim's location to determine if a crime had occurred. While the plan was being devised, Vazquez jumped into his Charger and drove away Code-3. J. Williams did not know what was going on at this point.

Deputy Jimenez jumped in his vehicle and yelled "Hey 998 on the working frequency." Sergeant Cale and the deputies got into their vehicles and drove toward the location leaving Detective J. Williams and Deputy Frazier to man the command post. Sergeant Cale returned to the command post and told J. Williams to get in his vehicle because he was confused where the location was.

Detective J. Williams and Sergeant Cale arrived on Abbottswood and parked behind Detective Vazquez' County Charger. As J. Williams was approaching the Charger she could see Vazquez and Dondis behind the open driver's door of the Charger. She heard one of them giving suspect Larue commands but was unsure who was giving the commands.

Detective J. Williams could also see suspect Larue standing behind a green Honda mocking the deputies. Larue was laughing and saying something to the deputies, but she was not sure what he was saying. When she was between Sergeant Cale's car and the Charger she heard three shots and saw Larue go down behind the Honda. She knew either Detectives Dondis or Vazquez had shot because she could see gun smoke coming from their direction. J. Williams took a position behind the trunk of the Charger because there was no other tactically vantage point for her to take. The deputies formulated a plan to approach Larue and subsequently secured him prior to calling paramedics to enter the danger zone.

Detective James Dondis, Employee #[redacted] was interviewed by Homicide Investigators on December 28, 2011, at approximately 0150 hours. A summary of their interview may be found on pages 4-7 of the Homicide Investigation Book, **Exhibit B.** Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of their interview is an accurate account of what was said.

Detective Dondis was sitting at his desk in the detective bureau when he heard over the station PA that there was a possible assault with a weapon call. He ran out of the station with Detective Jennifer Williams.

They arrived at the command post and were formulating a plan of action. Detective Dondis heard over the car radio, which was on regular dispatch that someone was asking for assistance on Golden Meadow Drive. Detective Dondis along with Deputy Kuwata got into his car and drove to Golden Meadow Drive. Deputy Kuwata deployed the AR-15. Dondis stopped his car approximately 100 yards short of Golden Meadow Drive and took a position next to Detective Vazquez, who was standing outside of his Dodge Charger on Abbottswood. Dondis was now approximately 100 feet from suspect Larue who was standing outside of his garage. Vazquez told Dondis as he pulled up that Larue had just told him he had a Glock in his pocket.

Detectives Dondis and Vazquez were both giving commands to suspect Larue. Larue was standing five feet from his open garage on the driveway with his hands in his pant pockets and was not cooperating. Suddenly, Larue pulled his right hand out of his pocket and Dondis saw a flash of metal. Dondis then heard Vazquez fire four to five rounds toward Larue.

Detective Dondis said he did not fire at that time because he was in the process of trying to open the trunk after he heard a female behind him asking him to open the trunk. When he looked up suspect Larue was moving and he did not have a clear shot. Larue walked toward the passenger side of a car located on the west curb in front of his house.

Suspect Larue entered the green Honda and Detective Dondis thought he was going for a weapon. Dondis kept his gun pointed at Larue as he entered the vehicle. He heard Detective Vazquez fire another volley of shots toward Larue. He saw Larue fall backward out of view and lost sight of him. He did not shoot because he did not have a clear shot due to the I-beam of the vehicle suspect Larue was using as cover. A team was formed to approach Larue. Dondis was assigned to cover the house while the deputies approached Larue. He did not see who searched or handcuffed Larue.

Sergeant Jeffrey Cale, Employee #[redacted] was interviewed by Homicide Investigators on December 28, 2011, at approximately 0150 hours. A summary of their interview may be found on pages 4-7 of the Homicide Investigation Book, **Exhibit B.** Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of their interview is an accurate account of what was said.

Sergeant Cale was driving to a call of a battery between a [redacted] and [redacted]. As he was driving to the location the call was updated the [redacted] was possibly armed with an AK-47 and was threatening to kill himself. The suspect also wanted deputies to kill him.

The call was updated the [redacted] (victim) was on Abbottswood, while the [redacted] (suspect) was at [redacted] house on Golden Meadow Drive. Sergeant Cale had deputies respond to a command post while other deputies took a position around the residence to prevent the suspect from leaving. While at the command post, SCC provided an emergency channel for the operation (ATac-2).

While at the command post, Sergeant Cale was advised there was emergency traffic on regular dispatch concerning suspect Larue. Sergeant Cale left his Tahoe at the command post and took a patrol car to the location. He started driving to the location but realized he did not have a good working knowledge of the area. He returned to the command post and picked up Detective Jennifer Williams who knows the area well.



While enroute to the residence, Sergeant Cale heard the broadcast a deputy had been involved in a shooting. He arrived and stopped his vehicle behind an unmarked Los Angeles County Dodge Charger.

Sergeant Cale saw Deputy Jimenez was behind a tree, Detectives Dondis and Vazquez were behind the driver's door of the Charger, and Deputy Kuwata was armed with an AR-15 rifle behind the passenger's front door of the Charger. The deputies were giving commands to Larue who was shouting back. He could not understand what was being said because Larue was acting bizarre and laughing.

Sergeant Cale also observed that suspect Larue was behind a green car. Larue was acting erratic, bizarre, and was shouting at the deputies while laughing. Sergeant Cale thought this was strange due to the seriousness of the situation.

Sergeant Cale did not like the tactical situation his deputies were in. He thought they were grouped to close together on Abbottswood. He wanted his deputies to spread out. He was also checking to see if anyone had deployed a stun bag when he heard a volley of gunfire. He did not know who fired but could see suspect Larue moving from side to side near the passenger's side of the vehicle parked directly in front of his house. He could see Larue's upper torso through the windows of the vehicle Larue was using as cover. He could not see Larue's hands but could see he was still acting bizarre.

Sergeant Cale turned to tell Detective J. Williams to get a stun bag shotgun from one of the other vehicles when he heard a shot. He could no longer see suspect Larue. He did not want to approach Larue because he was not sure if he was hit or waiting for deputies to expose themselves. He called for an air unit and was told it would be a six minute wait until they arrived. He waited until Aero was overhead and they advised him Larue was laying on the ground. He formed an arrest team and approached Larue. Once Larue was secured and no threat was seen, Sergeant Cale called in paramedics, who were staged at the command post.

SUSPECT STATEMENTS:

Suspect was deceased.

NON-DEPARTMENT WITNESS STATEMENTS:

[redacted] **(Suspect's [redacted])**, was interviewed by Homicide Investigators on December 28, 2011, at approximately 0100 hours. A summary of their interview may be found on pages 14-15 of the Homicide Investigation Book, **Exhibit B.**

Internal Affairs investigators reviewed the tape recording of the interview and found that Homicide's summary of their interview is an accurate account of what was said.

Mr. [redacted] said he and his [redacted] suffer from depression. Suspect Larue was given medication and responded well to the medication. However, when he does not take his medication his behavior becomes erratic and violent.

Mr. [redacted] described a beating he received from his [redacted] a year prior. Both were at a restaurant when suddenly suspect Larue became violent. Mr. [redacted] was thrown to the ground and was being beaten by suspect Larue. Restaurant patrons intervened and the police were called. Suspect Larue was arrested and subsequently released.

Suspect Larue on another occasion stopped taking his medication and purposely drove his car over the cliff in Palos Verdes in an attempt to kill himself. As a result, he sustained serious injuries.

Mr. [redacted] said on this occasion, he and his [redacted] (Suspect Larue) had driven to a restaurant to purchase dinner. They drove back to [redacted] residence and were sitting in the kitchen preparing to eat. Suspect Larue left the kitchen and returned screaming for the car keys. Mr. [redacted] knew something was wrong and hid the keys in a nearby planter.

Suspect Larue became upset and said "Fuck this." Suspect Larue started punching him in the face with a closed fist, causing him to fall to the floor. Suspect Larue leaned in close to Mr. [redacted] face and told him twice, "I'm going to kill you."

Mr. [redacted] fearing for his life broke free from Suspect Larue and ran out of the house. He ran to a neighbor's house and asked them to call 911.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Suspect was deceased.

PROPERTY DAMAGE:

Erika Di Palma of the Scientific Services Bureau located nine bullet holes in and around the garage area of [redacted] Golden Meadows Drive. The bullet holes were photographed and documented in the Homicide book (pages 110-114), **Exhibit B.**



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JACQUELYN LACEY • Chief Deputy District Attorney
PATRICK R. DIXON • Assistant District Attorney

JANICE L. MAURIZI • Director

June 8, 2012

Captain David Smith
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. File # 11-0823
L.A.S.D. File # 011-04495-1735-013

Dear Captain Smith:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the December 27, 2011, fatal shooting of Robert Evan LaRue by Los Angeles Sheriff's Department Deputies Joseph Vazquez and Daryl Williams. We find that Deputies Vazquez and Williams acted lawfully in self-defense and defense of others.

The District Attorney's Command Center was notified of the shooting on December 27, 2011 at approximately 8:50 p.m. The District Attorney Response Team, comprised of Deputy District Attorney Renee Chang and District Attorney Senior Investigator Gregory Frum, responded and was given a briefing and walk-through of the scene.

The following analysis is based upon reports prepared by the Los Angeles County Sheriff's Department (LASD), submitted to this office by members of the LASD Homicide Bureau. The voluntary statements of Deputies Williams and Vazquez were considered as part of this analysis.

FACTUAL ANALYSIS

Robert Evan LaRue (LaRue) lived with his [redacted] ([redacted]) on Golden Meadow Drive in the City of Rancho Palos Verdes. On December 27, 2011, at approximately 7:00 p.m., they went out to pick up food for dinner. When they returned home, LaRue began to act strangely.[1] [redacted] in fear for his [redacted] safety, hid the keys to his car.[2] When LaRue

[1] LaRue had a history of mental illness and depression. According to his [redacted] LaRue has made six prior attempts at suicide. One time, he drove a car over a cliff in Palos Verdes. As a result of that attempt, he lost his left eye.
[2] The car is a Toyota Avalon and is registered to LaRue's [redacted] It was parked on the curb directly in front of the residence.

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demanded the keys, [redacted] refused to give them to him. LaRue knocked [redacted] to the ground and began strangling him. He beat [redacted] in the face with his fists, knocking both of [redacted] hearing aids out of his ears. LaRue told [redacted] that he was going to kill him. [redacted] was able to escape to a neighbor's house. He suffered a bruised and swollen left eye, and an abrasion on his cheek. There was blood on the back of his head and on the knuckles of both hands. His neighbor called 9-1-1 to report the incident.

LaRue also called 9-1-1. He told the operator, "I don't want anyone else to get hurt here, just myself. I'm gonna kill myself, it's a done deal. I just want to go on the record." When asked if he had any weapons, Larue stated, "Yes, I'm loaded. I've got nothing to lose." He further stated, "My [redacted] running around here thinking I'm gonna kill him. No, I'm gonna kill myself. I have a 9mm Glock and an AK-47 fully loaded and ready to rock." After several minutes, LaRue continued, "If they don't kill me, I will kill the deputies."

Deputy Williams responded in a marked police vehicle to LaRue's residence on Golden Meadow drive. When he arrived, he saw LaRue walking out of the shadows at the curb of Golden Meadow Drive. Williams parked his car approximately 80 feet down the street, just north of LaRue's residence. He shined his vehicle spotlight on LaRue. Williams got out of his vehicle, drew his service weapon from his holster and commanded LaRue to stop and raise his hands.[3] LaRue did not comply with Williams' commands and shouted, "I'm the guy you're looking for." Deputy Williams repeatedly ordered LaRue to stop and raise his hands. LaRue responded, "Fuck you, just fucking shoot me."

LaRue continued to pace in the street, walking towards Williams, then away. Williams moved to the back of his patrol vehicle and retrieved a rifle from the trunk.[4] Williams returned to the driver's door and continued to command LaRue to show his hands. LaRue walked toward Williams holding a shiny object in his right hand. Williams believed that LaRue was going to shoot out the headlights of his patrol vehicle or engage in a gun fight. Williams was not in a set position with the rifle and was not able to shoot LaRue at this time. Instead, he ran to the back of his vehicle and took cover behind the open trunk.

As Williams took cover behind the trunk, LaRue once again turned and walked away from Williams. Williams could not see LaRue's hands, so he did not shoot him at this time. LaRue walked back to his residence and walked up the driveway into the open garage. Williams requested assistance via his police radio.

Deputy Vazquez arrived at the location to assist.[5] He parked his unmarked police vehicle on Abbotswood Drive to the east of LaRue's residence.[6] Vazquez attempted to engage LaRue in conversation. LaRue replied, "I'm not going back to jail. You guys treated me like shit."

[3] Williams' service weapon is a LASD issued HK USP .45 caliber semiautomatic handgun.

[4] Williams retrieved an LASD issued Colt model AR-15/SP1, 223 Remington caliber semiautomatic rifle.

[5] LASD Sergeant Jeffrey Cale, Detective Jennifer Williams, Detective James Dondis, Deputy Pablo Jimenez, Deputy Kevin Kuwata and Deputy Brandon Walker responded along with Vazquez.

[6] Abbotswood Drive ends at Golden Meadow Drive in a T-intersection directly in front of LaRue's residence.

Vazquez told LaRue that the deputies were not there to hurt him. LaRue told Vasquez that he had a Glock in his pocket. LaRue continued to pace up and down the driveway. He put his hand into his pocket. As he was standing near the garage, LaRue pulled his right hand out of his pocket and extended his arm toward Vazquez. Vazquez saw LaRue holding an object in his right hand. In fear for his safety, Vazquez fired numerous rounds from his service weapon at LaRue.[7]

LaRue started laughing and shouted, "You missed. You guys are a horrible shot." He walked to the Toyota Avalon that was parked at the curb in front of his residence and opened the passenger side door. Vazquez could not see LaRue clearly as LaRue moved around on the other side of the Toyota. LaRue suddenly popped up from the other side of the Toyota and extended both his arms in front of him over the top of the Toyota toward Vazquez. Believing that he was armed, Vazquez fired additional rounds from his service weapon at LaRue.[8] Williams, in fear for the safety of the other deputies on Abbotswood Drive, fired one round from the AR-15, striking LaRue in the chest. LaRue fell to the ground. A black handled steak knife with blood on the blade was lying on the sidewalk next to him. Los Angeles Fire Department Paramedic Ortega responded and pronounced LaRue dead at the scene.

Deputy Medical Examiner Jeffrey Gutstadt, M.D. performed the autopsy on LaRue on December 29, 2011. LaRue had a single gunshot wound to his chest. LaRue also had superficial incised wounds to his right inner forearm and to both sides of his neck.[9] He had signs of blunt force trauma on his right hand, right eye and legs. Blood samples taken from LaRue during the autopsy were analyzed and determined to contain evidence of alcohol, marijuana, antidepressants, and cocaine.[10] Dr. Gutstadt determined the cause of death to be a single gunshot wound to the chest.

In 2009, LaRue [redacted] the court issued a criminal protective order prohibiting LaRue from contacting his [redacted] However, [redacted] allowed LaRue to move back into his residence after he completed a residential substance abuse program.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears that the person claiming the right of self-defense actually and reasonably believed that he was in danger of great bodily injury or death. People v. Randle (2005) 35 Cal.4th 987, 994; People v. Mercer (1962) 210 Cal.App.2d 153, 161.

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[7] Vazquez was armed with an LASD issued Smith and Wesson, 9mm, model M&P semiautomatic handgun.

[8] An examination of his service weapon showed that Vazquez fired a total of 14 rounds at LaRue.

[9] There was blood found in the interior of the Toyota on the glove box and on the roof of the Toyota which was likely from the incised wounds on LaRue's arm.

[10] LaRue had a blood alcohol level of .17%.

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent imminent injury. CALCRIM 505.

Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. People v. Collins (1961) 189 Cal.App.2d 575.

The evidence examined shows that Robert Evan LaRue strangled and beat his [redacted] He called 9-1-1 and informed the operator that he was armed with a loaded AK-47 and a Glock pistol. When deputies arrived at the scene, LaRue shouted that he had a Glock in his pocket. He ignored their repeated commands to show his hands and lie on the ground. LaRue had his hand in his pocket when he suddenly pulled it out and raised his arm in the direction of Vazquez. He later took a shooting stance with his arms extended in the direction of Vazquez over the roof of a car. In fear for their lives and the lives of others, Vazquez and Williams responded with deadly force.

We find that Deputies Vazquez and Williams acted in lawful self-defense and defense of others when they used deadly force against Robert Evan LaRue. Therefore, we are closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By Renee Chang

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c: Deputy Joseph Vazquez, #[redacted]
Deputy Daryl Williams, #[redacted]